

House File 256 - Introduced

HOUSE FILE 256
BY WINDSCHITL

A BILL FOR

1 An Act relating to the duties and rulemaking authority of the
2 commission on veterans affairs.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 35A.3, subsection 2, Code 2011, is
2 amended to read as follows:

3 2. ~~Review~~ Adopt rules pursuant to chapter 17A to carry
4 out the provisions of this chapter after reviewing proposed
5 rules submitted by the department concerning the management
6 and operation of the department as provided in section 35A.5.
7 ~~Unless the commission votes to disapprove a proposed rule~~
8 ~~on a two-thirds vote at the earlier of the next regularly~~
9 ~~scheduled meeting of the commission or a special meeting of the~~
10 ~~commission called by the commission within thirty days of the~~
11 ~~date the proposed rule is submitted, the department may proceed~~
12 ~~to adopt the rule.~~

13 Sec. 2. Section 35A.5, subsection 9, Code 2011, is amended
14 to read as follows:

15 9. After consultation with the commission, provide
16 certification training to executive directors and
17 administrators of county commissions of veteran affairs
18 pursuant to section 35B.6. Training provided under this
19 subsection shall include accreditation by the national
20 association of county veteran service officers. Training
21 provided by the department shall be certified by the national
22 association of county veteran service officers and, in
23 addition, shall ensure that each executive director and
24 administrator is proficient in the use of electronic mail,
25 general computer use, and use of the internet to access
26 information regarding facilities, benefits, and services
27 available to veterans and their families. The ~~department~~
28 commission may adopt rules in accordance with chapter 17A
29 to provide for training of county veteran affairs executive
30 directors and administrators.

31 Sec. 3. Section 35A.5, subsection 12, Code 2011, is amended
32 to read as follows:

33 12. ~~Adopt~~ Submit proposed rules pursuant to chapter 17A
34 and to establish policy for the management and operation of
35 the department. ~~Prior to adopting rules, the department shall~~

1 ~~submit proposed rules~~ to the commission for ~~review~~ adoption
2 pursuant to ~~the requirements of~~ section 35A.3.

3 Sec. 4. Section 35A.8, subsection 4, paragraph a, Code 2011,
4 is amended to read as follows:

5 a. The executive director shall provide for the
6 administration of the bonus authorized in this subsection. The
7 ~~department~~ commission shall adopt rules, pursuant to chapter
8 17A, as necessary to administer this subsection including, but
9 not limited to, application procedures, investigation, approval
10 or disapproval, and payment of claims.

11 Sec. 5. Section 35A.8, subsection 5, paragraph a, Code 2011,
12 is amended to read as follows:

13 a. The executive director shall provide for the
14 administration of the bonus authorized in this subsection. The
15 ~~department~~ commission shall adopt rules, pursuant to chapter
16 17A, as necessary to administer this subsection including but
17 not limited to application procedures, investigation, approval
18 or disapproval, and payment of claims.

19 Sec. 6. Section 35A.8A, subsection 7, Code 2011, is amended
20 to read as follows:

21 7. The executive director of the department of veterans
22 affairs shall provide for the administration of the bonus
23 authorized in this section. The ~~department~~ commission
24 shall adopt rules, pursuant to chapter 17A, as necessary
25 to administer this section including but not limited to
26 application procedures, investigation, approval or disapproval,
27 and payment of claims. The ~~department~~ commission may expend
28 up to one percent of the moneys appropriated for the bonus
29 compensation authorized under this section for administrative
30 costs associated with the requirements of this section.

31 Sec. 7. Section 35A.13, subsection 5, Code 2011, is amended
32 to read as follows:

33 5. It is the intent of the general assembly that beginning
34 with the fiscal year beginning July 1, 2008, appropriations
35 be made annually to the veterans trust fund. Prior to any

1 additional appropriations to this fund, the ~~department~~
2 commission shall provide the general assembly with information
3 identifying immediate and long-term veteran services throughout
4 the state and a plan for delivering those services.

5 Sec. 8. Section 35A.13, subsection 9, Code 2011, is amended
6 by striking the subsection.

7 Sec. 9. Section 35A.14, subsection 5, unnumbered paragraph
8 1, Code 2011, is amended to read as follows:

9 The ~~department~~ commission shall adopt rules governing the
10 distribution of grants under this section in accordance with
11 the following:

12 Sec. 10. Section 35A.17, subsection 4, Code 2011, is amended
13 to read as follows:

14 4. The ~~department~~ commission shall adopt rules, pursuant
15 to chapter 17A, deemed necessary for the administration of the
16 county commission of veteran affairs training program.

17 Sec. 11. Section 36.8, Code 2011, is amended to read as
18 follows:

19 **36.8 Rules.**

20 The ~~department~~ commission shall adopt rules pursuant to
21 chapter 17A to implement this chapter.

22 Sec. 12. Section 36.9, Code 2011, is amended to read as
23 follows:

24 **36.9 Appropriations.**

25 This chapter shall be implemented by the ~~department~~
26 commission each fiscal year that appropriations are made to the
27 ~~department~~ commission for the implementation.

28 EXPLANATION

29 This bill makes changes relative to the duties and
30 responsibilities of the department of veterans affairs and the
31 commission on veterans affairs. The bill places all rulemaking
32 authority with the commission and removes rulemaking authority
33 from the department in all instances.

34 The bill specifies that this authority extends to rules for
35 the provision of training to county veteran affairs executive

1 directors and administrators. The bill further specifies
2 that the commission may adopt rules related to veterans
3 bonus application procedures, investigations, approvals or
4 disapprovals, and payments.

5 The bill requires that the commission identify and report
6 to the legislature on the short and long-term goals of the
7 veterans trust fund, prior to any future appropriations by
8 the general assembly. The bill strikes emergency rulemaking
9 authority over the veterans trust fund.

10 The bill also shifts rulemaking authority over the injured
11 veterans grant program and the county commission of veteran
12 affairs training program to the commission from the department.

13 The bill further shifts rulemaking authority to the
14 commission from the department for issues regarding medical
15 reporting requirements related to veterans exposed to chemicals
16 while serving in the armed forces.

17 The bill finally allows the department to propose
18 rules regarding policy for the management and operation
19 of the department to the commission for the commission's
20 consideration.